

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LANZATECH GLOBAL, INC.,
Plaintiff,

24-CV-6362

-v-

VELLAR OPPORTUNITY FUND SPV
LLC - SERIES 10,
Defendant.

24-CV-8061

ORDER

J. PAUL OETKEN, District Judge:

On July 24, 2024, LanzaTech Global, Inc. (“LNZA”) filed an action in state court against Vellar Opportunity Fund SPV LLC - Series 10 (“Vellar”), asserting breach of contract and related claims arising from a Forward Purchase Agreement (“FPA”) between the parties. (Notice of Removal ¶¶ 1-2, *LanzaTech Global, Inc. v. Vellar Opportunity Fund SPV LLC - Series 10*, No. 24-cv-6362 (Aug. 22, 2024) (ECF No. 1).) On August 23, 2024, Vellar removed that action to this Court. (*Id.*) On October 23, 2024, Vellar filed its own action against LNZA in this Court, alleging that LNZA breached the same FPA. (Complaint ¶¶ 60-69, *Vellar Opportunity Fund SPV LLC - Series 10 v. LanzaTech Global, Inc.*, No. 24-cv-8061 (Oct. 23, 2024) (ECF No. 1).)

Pursuant to Federal Rule of Civil Procedure 42(a), the parties’ joint letter motions to consolidate the two cases are GRANTED. The two actions are hereby consolidated for all purposes into one action under case number 24-CV-6362, with the caption *LanzaTech Global, Inc. v. Vellar Opportunity Fund SPV LLC - Series 10*. All filings in the member cases shall be in the lead case, 24-CV-6362. Despite such consolidation, the consolidated cases “retain their separate identities.” *Hall v. Hall*, 138 S. Ct. 1118, 1128-31 (2018). For administrative purposes, the Clerk of Court is directed to close the second-filed case, 24-CV-8061. This order does not affect the rights of the parties in any of the consolidated cases.

SO ORDERED.

Dated: April 18, 2025
New York, New York



J. PAUL OETKEN
United States District Judge